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AB/1653  
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U. S. PATENT & TRADEMARK OFFICE  
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TRANSMITTAL FORM		Application Number	09/673,274
		Filing Date	2/2/01
		First Named Inventor	Lamberty
		Group Art Unit	1653
		Examiner Name	Liu, Samuel W.
Total Number of Pages in This Submission		Attorney Docket Number	33595-PCT-USA 072667.0166

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks <input type="checkbox"/>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112	
Signature	<i>Carmella L. Stephens</i>	
Date	June 29 2004	
Att Name:	Carmella L. Stephens	
PTO Reg:	41,328	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date:

Typed or printed name	Carmella L. Stephens		
Signature	<i>Carmella L. Stephens</i>	Date	June 29 2004

**BAKER BOTTS LLP**

Attorney Docket Number: 33595-PCT-USA 072667.0166

Title: GENE CODING FOR HELIOMICINE, AND USE THEREOF



Use Space Below for Additional Information:

BAKER BOTTS LLP



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$0)</b>

Complete if Known	
Application Number	09/673,274
Filing Date	2/2/01
First Named Inventor	Lamberty
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Art Unit	1653
Attorney Docket No.	33595-PCT-USA 072667.0166

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number	02-4377
Deposit Account Name	Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee required under 37CFR 1.16 and 1.17  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$0)</b>	

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			- 20 =	0	X = 0
			- 3 =	0	X = 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$0)</b>

\*\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** **(\$0)**

(Complete if applicable)

SUBMITTED BY	
Name (Print/Type)	Carmella L. Stephens
Signature	<i>Carmella L. Stephens</i>
Registration No. (Attorney/Agent)	41,328
Telephone	212.408.2539
Date	June 29 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mireille Lamberty *et al.*  
Serial No. : 09/673,274      Examiner : Liu, Samuel W.  
Filed : October 12, 2000      Group Art Unit : 1653  
For : GENE CODING FOR HELIOMICINE, AND USE THEREOF

**AMENDMENT**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS: After Final, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

June 29, 2004  
Date of Deposit

Carmella L. Stephens  
Attorney Name

41,328  
PTO Registration No.

Carmella L. Stephens  
Signature

June 29, 2004  
Date of Signature

Mail Stop: After Final  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

This paper is being filed in response to the Office Action, dated April 29, 2004, that was issued in connection with the above-identified application. Applicants respectfully request entry and consideration of the amendments and remarks presented herein.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 13 of this paper.